

May 31, 2017

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW, Room TW-A325
Washington, DC 20554

Re: Midwest Energy Cooperative d/b/a Midwest Connections
Rural Broadband Experiment (SAC 316131)
WC Docket No. 14-259
15-MONTH REPORT AND REQUEST FOR CONFIDENTIAL TREATMENT

Dear Ms. Dortch:

Midwest Energy Cooperative d/b/a Midwest Connections hereby submits its certification pursuant to Paragraph 75 of the Rural Broadband Experiment Order,¹ of compliance with the 15-month build-out milestone for the above referenced deployment.

Pursuant to the Protective Order in Connect America Fund, et al., WC Docket No. 10-90 et al. (Mar. 22, 2016) and 47 C.F.R. §§ 0.457 and 0.459, Midwest, by its attorneys, hereby requests that certain materials and information be withheld from public inspection. The attached exhibits are being submitted in both redacted and unredacted versions to USAC.

In support of its request for confidential treatment and pursuant to the requirements under 47 C.F.R. § 0.459(b), Midwest states the following:

1. Identification of the specific information for which confidential treatment is sought.

Midwest seeks confidential treatment of Exhibit A, which contains a detailed description of competitively sensitive customer data.

2. Identification of the Commission proceeding in which the information was submitted or description of the circumstances giving rise to the submission.

Exhibit A is being submitted as part of the Midwest's obligation to certify within 15 months of receiving support that Midwest offers service meeting the relevant public interest obligations to 25 percent of the number of required locations.

¹ *Connect America Fund; ETC Annual Reports and Certifications*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 10-90| WC Docket No. 14-58 (rel. July 14, 2014) at para. 75 ("RBE Order").

3. Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged.

The data described is highly confidential and sensitive commercial and financial information which constitutes trade secrets or sensitive commercial and financial information that would “customarily be guarded from competitors”² and is therefore exempted from mandatory disclosure under FOIA Exemption 4 and 47 C.F.R. § 0.457(d).³ The specific information constitutes confidential commercial, proprietary and financial information, which Midwest routinely withholds from the public. The public disclosure of this information, which includes information regarding transmission facilities and deployment locations, would place Midwest at a severe competitive disadvantage.

4. Explanation of the degree to which the information concerns a service that is subject to competition.

Exhibit A: Geocoded Location Data relates to broadband services provided by Midwest that are subject to competition from local exchange carriers, cable television system operators, wireless service providers, and/or satellite carriers. Public disclosure of the information would allow current and future competitors to use the information for competitive advantage.

5. Explanation of how disclosure of the information could result in substantial competitive harm.

See discussion in paragraph 3 above. Due to the granular nature of the data, competitors could use Midwest’s data as a blueprint for future deployment and marketing activities.

6. Identification of any measures taken by the submitting party to prevent unauthorized disclosure.

Midwest takes significant measures to protect its competitively sensitive customer data. This request for confidential treatment is very limited and directed only at the most sensitive and granular data.

7. Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties.

The information Midwest seeks to protect has not been made available to the public or to any third parties other than those who have an independent obligation to protect the information.

² 47 C.F.R. § 0.457(d)(2).

³ 5 U.S.C. § 522(b)(4).



8. Justification of the period during which the submitting party asserts that the material should not be available for public disclosure.

Midwest seeks to have this material kept confidential for the duration of the Rural Broadband Experiment program. Granular information on the location and grouping of Midwest's customers will continue to be sensitive.

9. Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.

The Commission has recognized the sensitivity of the commercial and proprietary information contained in the identified Exhibit. Accordingly, the request for confidentiality should be granted.

Very truly yours,

Shannon M. Heim

Attorney at Law

P: (612) 877-5320

F: (612) 877-5022

Shannon.Heim@lawmoss.com

SMH

Enclosures

3621415v1